

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ANISSA D. CARSON,

Plaintiff,

V.

**JOHN R. MCDEVITT, AND/OR HIS
SUCCESSOR, INDIVIDUALLY, AND
IN HIS OFFICIAL CAPACITY AS
CFO OF HOMELoAN SERVICE
INC. OF BOISE, ID, AN ENS LEGIS
BEING USED TO CONCEAL
FRAUD; AND TROY MARTIN,
AND/OR HIS SUCCESSOR,
INDIVIDUALLY, AND HIS
OFFICIAL CAPACITY AS BONIAL
& ASSOCIATES, P.C./TROY
MARTIN, SUBSTITUTE TRUSTEE,
AN ENS LEGIS BEING USED TO
CONCEAL FRAUD,**

Defendants.

CIVIL NO. SA-23-CV-00494-OLG

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has considered United States Magistrate Judge Elizabeth S. Chestney’s Report and Recommendation (R&R), filed September 25, 2023, concerning the Motion to Dismiss for lack of subject-matter jurisdiction, personal jurisdiction, insufficient service of process, and failure to state a claim upon which relief can be granted filed by Defendant Bonial & Associates on behalf of all Defendants. (*See* R&R, Dkt. No. 6.)

Any party who desires to object to a Magistrate Judge's findings and recommendations must serve and file written objections within fourteen days after being served with a copy of the findings and recommendations. 28 U.S.C. § 636(b)(1). Plaintiff was served with a copy of the R&R by certified mail on September 26, 2023 (*see* Dkt. No. 8), and the time to object has passed.¹

¹A party desiring to object to a magistrate judge's findings and recommendations must file and serve written objections within fourteen days after being served with the recommendations. 28 U.S.C. § 636(b)(1)(C); FED. R. CIV.

Because no party has objected to the Magistrate Judge's findings or recommendations, the Court has reviewed the R&R for clear error. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989), *cert. denied*, 492 U.S. 918 (1989). After such review, the Court finds that the R&R is neither clearly erroneous nor contrary to law.

Accordingly, the Court **ACCEPTS** the Magistrate Judge's R&R (Dkt. No. 6) and, for the reasons set forth therein, Defendants' Motion to Dismiss (Dkt. No. 5) is **GRANTED**.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this 31 day of October, 2023.



ORLANDO L. GARCIA
United States District Judge